

Notice of Allowability

Application No.

10/659,492

Examiner

Jeff Wollschlager

Applicant(s)

BULLOCK, RODDY MCKEE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview of February 1, 2007.
2. ☒ The allowed claim(s) is/are 5, 6 and 10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070209.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephonic interview conducted on February 1, 2007, after the personal interview, Mr. Michael Lasky requested an extension of time for 2 MONTH(S) and authorized the Director to charge Deposit Account No. 50-1038 the required fee of \$450.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 4 and 7-9 have been canceled.

Claim 10 (amended): A method of making a slip-resistant hanging folder of paper stock, said folder having [a] front and back sides and top edges, and when assembled, [a support by] support bars running along said top edges for hanging, the method comprising the steps of:

- (a) providing folder paper stock;
- (b) providing embossing dies in spaced, operable, mating relationship;
- (c) positioning said folder paper stock appropriately in said embossing dies;

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- (d) applying force to at least one of said embossing dies so as to decrease the spaced relationship at a place on said front and back [edges] sides spaced from [the] said top edges; [and]
- (e) deforming said folder paper stock in first and second spaced apart places along the surface of [the] said folder paper stock with said embossing dies;
- (f) attaching [a bar] said support bars along said top edges; and
- [(f)] (g) folding said folder paper stock such that said first and second deformed places are located on [front and back] exterior surfaces of said front and back sides of [the] said hanging folder, so that said deformed places form finger gripping locations on the exterior surfaces of [the] said hanging folder near said top edges and below said support bars.

Claim 5 (amended): The method of claim [4] 10 further including the step of locating said first and second deformed places [are] on different portions of [their respective folder surfaces] said hanging folder so that from said front side to said back side the deformed places are asymmetrical.

Claim 6 (amended): The method of claim 5 further including the step of applying said first and second deformed [portions] places horizontally across said [the] exterior surfaces of said [the] front and back sides of said hanging folder [surfaces] and at different non-overlapping positions [on their respective front and back surfaces,] so that adjacent hanging folders can nest together.

REASONS FOR ALLOWANCE

Claims 5, 6 and 10 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record neither teaches nor suggests forming finger gripping locations on exterior surfaces of a hanging folder near the top edges and below the support bars as claimed with the other claimed limitations. Regarding claims 5-6, applicant demonstrated 35 U.S.C. 112, first paragraph support for the claim limitations during the personal interview. Namely, slip resistant element (1) refers to an adhesive or a mechanical embossment in the specification and is not limited to only an adhesive.

The examiner regards Snowden (U.S. Patent 4,053,057) and McLaren (U.S. Patent 2,204,095) as the closest prior art. Snowden discloses a method of producing a hanging file folder with indentations, but does not disclose the indentations as being below the support bar. Further, since the indentations are utilized by Snowden to hold the support bar there is no suggestion to move the location of the indentations disclosed by Snowden. McLaren forms wear/gripping locations on a file folder, but these are not finger gripping locations near the top edges of the folder and below the support bars of a hanging file folder.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patents: 4,487,520; 6,248,050; 2,289,577; 5,311,685; 2,204,095; 3,643,363 disclose analogous folders and deformed folder surfaces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Wollschlager whose telephone number is 571-272-8937. The examiner can normally be reached on Monday - Thursday 7:00 - 4:45, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JW

Jeff Wollschlager
Examiner
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February 9, 2007


CHRISTINA JOHNSON
SUPERVISORY PATENT EXAMINER
2/15/07